

## **Article 4.4: Sign Regulations**

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### **4.401 Purposes**

- A. The purposes of the sign regulations are: to establish comprehensive provisions that will assure proper and efficient expression through visual communications involving signs compatible with the character and environment of the Town; to eliminate confusing, distracting, and unsafe signs; and to enhance the visual environment of the Town of Gilbert. The regulation of signs within the Town of Gilbert is necessary and in the public interest for the following reasons:
1. To promote and aid the public and private sectors in the identification, location, and advertisement of goods and services.
  2. To preserve the beauty and the unique character of the Town of Gilbert and to protect the Town against visual blight.
  3. To protect property values within the Town of Gilbert by assuring the compatibility of surrounding land uses.
  4. To promote general safety and protect the general public from damage or injury caused by, or partially attributed to, the distractions, hazards, and obstructions which result from improperly designed or located signs.
  5. To promote the general welfare and to provide a pleasing environmental setting and community appearance which are vital to the continued economic development of the Town.

6. To make signs compatible with overall Town design objectives which are important in attracting new residents and business to the community.
7. To make signs readable to the user in a clear, unambiguous, and concise manner.
8. To ensure signs are clear and compatible with the planned character of the adjacent architecture and neighborhoods, and to provide the essential identity of, and direction to facilities in the community.

#### **4.402 General Sign Regulations**

- A. ***Requirement of Permit.*** Except as provided in Section 4.402D: Signs Not Requiring a Sign Permit, it shall be unlawful for any person to construct, install, attach, place, paint, alter, relocate, or otherwise maintain any sign in the Town without first obtaining a sign permit in accordance with this article.
- B. ***Requirement of Conformity.*** Signs shall not be installed, placed, or maintained in the Town except in conformance with this Article. If provisions of this Article are in conflict with any other Town code, the more restrictive requirement(s) shall apply. Signs maintained contrary to the provisions of this article are declared to be nuisances and may be abated as provided by law.
- C. ***Sign Permit Application.*** Application for a sign permit shall be made on forms provided by the Development Services Manager.
- D. ***Signs Not Requiring a Sign Permit.***
  1. Signs installed by governmental jurisdictions when acting in their governmental capacity.
  2. One Identification Sign per building entrance 6 square feet or less in area.
  3. Permanent regulatory and parking signs 6 square feet or less in area and a maximum of 6 feet in height.
  4. Permanent Wall Signs of an informational nature, not including business Identification Signs, such as signs identifying service or delivery entrances, 6 square feet or less in area.
  5. Real Estate Signs 6 square feet or less in area and a maximum of 6 feet in height, in compliance with Section 4.404: Real Estate Signs.
  6. Residential Open House Signs.
  7. Political Signs, in compliance with Section 4.402I: Political Signs.

8. Ideological Signs, in compliance with Section 4.402J: Ideological Signs.
  9. Garage Sale Signs, in compliance with Section 4.402K: Garage Sale Signs.
  10. Business identification banners during street construction, in compliance with Section 4.402L: Business Identification Banners during Street Construction.
  11. Interim business identification banners, in compliance with Section 4.402M: Interim Business Identification Banners.
  12. Boutique Signs, in compliance with Section 4.402O: Boutique Signs.
  13. Window Signs.
  14. A-Frame Signs, in compliance with Section 4.402N: A-Frame Signs.
  15. Religious Assembly Temporary Direction Signs, in compliance with Section 4.402P: Religious Assembly Temporary Direction Signs.
  16. Construction Signs, in compliance with Section 4.404H: Construction Signs.
  17. Suspended Signs 6 square feet or less in area in commercial projects and in the Heritage Village Center zoning district.
  18. Restaurant Menu Signs 6 square feet or less in area, not including Drive-Through Restaurant Menu Signs, displayed within 10 feet of the business entry.
  19. Required street addresses.
- E. ***Maintenance of Legal Signs.*** Maintenance of legal signs shall not require a permit. Sign maintenance is the replacement or repair of a part or portion of a sign required by ordinary wear, tear, or damage, with like material, color, and design. Maintenance of legal signs does not include changing the color, size, design, or style of signs.
- F. ***Sign Panel Replacement.*** Replacement of a panel containing the same color, size, design, and style as the original on an approved sign structure with removable panels shall not require a permit.
- G. ***Flagpoles.***
1. ***Location.*** Flagpoles shall be depicted on Final Design Review plans.

2. *Height.* Flagpoles shall not exceed 1.5 times the allowed building height for the district in which it is located, but in no event shall a flagpole exceed a height of 50 feet.
  3. A building permit shall be required for flagpoles.
  4. A sign permit is not required for flags or insignias of any nation, state, county, city or other political unit.
- H. ***Bus Shelter Signage.*** Notwithstanding the provisions of Section 4.402R.7, signs in conjunction with bus shelter facilities approved by the Town or other governmental agencies shall be permitted. Development standards, including but not limited to sign face area, height, location, etc., shall be determined in accordance with bus shelter design requirements established by the Town Engineer.
- I. ***Political Signs.*** Political Signs up to 16 square feet are permitted on property zoned for residential use. Political Signs up to 32 square feet are permitted on property zoned for nonresidential use, undeveloped Town property, and Town rights-of-way. Political Signs shall be removed no later than 10 days following the election, unless otherwise set forth in this article. Political Signs shall not exceed 6 feet in height. Political Signs may be placed in Town rights-of-way and on Town property used as a polling place, only in compliance with the following requirements:
1. Political Signs placed in the right-of-way shall not block visibility to any roadway or property. Political Signs located within 15 feet of back of curb, or edge of pavement if there is no curb, shall be presumed to block visibility.
  2. Political Signs posted on property owned by the Town of Gilbert, which is used as a polling place, shall be:
    - a. Limited to a single sign not exceeding 4 square feet for each candidate or ballot question.
    - b. Posted only during the early voting period or on the date of an election.
    - c. Located outside the 75 foot limit.
    - d. Removed from the property by 11:59 pm on the date of completion of the early voting period or the date of the election.
- J. ***Ideological Signs.*** Ideological Signs are permitted in all zoning districts. Signs shall be no greater than 20 square feet in area and 6 feet in height.

- K. ***Garage Sale Signs.*** Garage Sale Signs are permitted only during the hours the sale is being conducted. The signs shall not be greater than 6 square feet in area and 6 feet in height. No more than 3 Garage Sale Signs may be displayed. Signs shall only be placed on private property and shall not be placed on any sign, tree, light pole, traffic signal or controller, utility box or other structure within the right-of-way. The person who installed the signs shall remove all signs at the end of the sale. If the person installing the signs is unknown, the property owner shall be responsible for removal.
- L. ***Business Identification Banners during Street Construction.*** Banners identifying an existing business are permitted during construction by a public entity or utility on a roadway immediately fronting the business premises, subject to the following regulations:
1. *Size.* Signs shall be no greater than 8 feet in height and 18 square feet in area.
  2. *Display.* Signs shall only be displayed from the start of construction to the end of construction, where access to the premises is impaired by the construction or traffic barriers are placed in the right-of-way that provide a visual distraction from ordinary business signage.
  3. *Location.* Business identification banners shall be attached to poles or posts fixed to the ground or to parking or site screen fences.
  4. *Prohibited Locations.* Business identification banners shall not be installed:
    - a. In the public right-of-way.
    - b. On landscaping, vehicles, utility facilities, or any other structure.
- M. ***Interim Business Identification Banners.*** Banners identifying a business are permitted from the date of the issuance of a Certificate of Occupancy for the business until the date of installation of permanent signage, provided the applicant has a pending sign permit application for permanent signage and is diligently pursuing the manufacture and installation of such signage. Such signs shall be placed upon the building wall of the business. Interim banners shall not exceed the sign area permitted for permanent Wall Signs for the use, and shall not be displayed for a period exceeding 90 days.
- N. ***A-Frame Signs.*** A-Frame Signs shall be permitted for apartment complexes and businesses in the Commercial, Heritage Village Center, Office, Employment, and Public Facility/Institutional zoning districts, subject to the following regulations:
1. *Size.* Signs shall be no greater than 2 feet in width and 3 feet in height.

2. *Number.* One A-Frame Sign shall be permitted per apartment complex or per business. For the purposes of this section, a business is defined as one entity per building or suite of 10,000 square feet or less.
3. *Display.* Signs shall be displayed only:
  - a. During the posted hours the business is open to conduct business; or
  - b. During the posted hours an apartment rental office is open to conduct business.
4. *Location.* A-Frame Signs shall be located only:
  - a. At grade level.
  - b. On-site or adjacent to apartment buildings.
  - c. Adjacent to the business being advertised, as follows:
    - (1) For stand-alone single businesses, the sign shall be placed on the business property being advertised or in the right-of-way adjacent to the business property.
    - (2) For businesses located in a commercial/office complex with multiple tenants and/or buildings, or in employment parks, the sign may be placed within or at the perimeter of the complex or employment park, or in the abutting right-of-way.
5. *Prohibited Locations.* A-Frame Signs shall not be located:
  - a. In raised or painted medians.
  - b. Across any street from the business being advertised.
  - c. In parking aisles or stalls.
  - d. In driving lanes.
  - e. On equestrian or multi-use trails.
  - f. So that less than a minimum of 4 feet is clear for pedestrian passage on all sidewalks and walkways, or so as to cause a hazard to pedestrian traffic.
  - g. On fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.

- h. Within a minimum distance of 20 feet from any other A-Frame Sign.
    - i. Within a minimum distance of 30 feet from an access drive or street intersection.
- 6. *Right-of-Way Placement.* Signs may be placed in the right-of-way, a minimum of 2 feet from back of curb.
- 7. *Construction and Maintenance.* Signs shall be:
  - a. Constructed of ½ inch, high density exterior grade compressed wood, such as Omega or Medium Density Overlay board;
  - b. Constructed with a protective, water resistant coating which is impervious to weather conditions;
  - c. Constructed with cut vinyl graphics and may contain zip tracks for changing of cut vinyl graphics.
  - d. Of sufficient weight and durability to withstand wind gusts, storms, etc.; and
  - e. Maintained in a professional manner free from chipping paint, cracks, gouges, loss of letters, etc.
- 8. *Elements Prohibited on A-Frame Signs.* The following shall be prohibited on A-Frame Signs:
  - a. Any form of illumination, including flashing, blinking, or rotating lights;
  - b. Animation;
  - c. Reflective materials;
  - d. Attachments, including, but not limited to, balloons, ribbons, speakers, etc.
- O. *Boutique Signs.* Up to 3 off-site temporary signs advertising a boutique may be displayed. Boutique Signs shall not exceed 6 square feet in area and 6 feet in height. Boutique Signs shall only be displayed during the hours that the boutique is open. Boutique Signs are prohibited on public property, including rights-of-way, and shall not be placed on any other sign or fixed structure. The person who installed the Boutique Signs shall remove all signs at the end of the sale. If the person installing the signs is unknown, the property owner shall be responsible for removal.

- P. **Religious Assembly Temporary Directional Signs.** Temporary directional signs for Religious Assembly uses shall be permitted subject to the following regulations:
1. *Size.* Signs shall be no greater than 3 feet in height and 6 square feet in area.
  2. *Number.* No more than 4 signs shall be displayed on one property at any time.
  3. *Display.* Signs shall only be displayed up to 2 hours before and 1 hour after the religious service.
  4. *Location.* Religious Assembly temporary directional signs may be located off-site and shall be placed at grade level. Signs shall be placed only with the permission of the owner of the property on which they are placed.
  5. *Prohibited Locations.* Religious Assembly Temporary Directional Signs shall not be located:
    - a. In the public right-of-way.
    - b. On fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.
  6. *Construction.* Signs shall be:
    - a. Constructed of durable and weather-resistant materials.
    - b. Anchored or weighted down to avoid being displaced in windy conditions, or otherwise be a safety hazard to the public.
- Q. **Address Signs.** Each dwelling unit shall be clearly identified by a street or unit number. Each nonresidential building or group of buildings shall be identified by a street number, visible from adjacent streets, not to exceed 3 square feet in area. Required address signage is not counted as a part of the total sign area permitted for a building or group of buildings.
- R. **Prohibited Signs.** All signs not expressly permitted by this Article shall be prohibited, including but not limited to:
1. Vehicle Signs and signs attached to any vehicle, except for magnetic signs and signs painted on the surface of the vehicle. The primary use of such vehicles shall be in operation of the business and not advertising or identifying the business premises. Unless parked in a lawful parking space, the vehicle shall not be parked in the right-of-way.



2. Flashing, blinking, reflective, or animated signs, including signs with an intermittent or varying color or intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or the illumination source. Changeable Message Signs and time and temperature displays are not flashing or animated signs.
3. Moving signs, including the sign body or any segment thereof.
4. Signs that by shape, color, design, and placement are likely to be confused with a road sign, or any other traffic control sign or device.
5. Signs which advertise activities illegal under Federal, State, or local laws, rules, or regulations.
6. Signs installed, attached, or painted on fences, rocks, trees, or natural features.
7. Signs installed, attached, or painted on any object within the right-of-way. Bus Shelter Signage may be permitted as provided for in Section 4.402H: Bus Shelter Signage.
8. Balloons and inflatable objects.
9. Portable Signs, except A-Frame signs.
10. Signs projecting above a roofline or mounted on a roof.
11. Billboards.
12. Wall-mounted Cabinet Signs and logos more than 6 square feet in area, unless:
  - a. Such sign is approved by the Design Review Board as part of a Comprehensive Sign Program; and
  - b. Such sign does not exceed the permitted Wall Sign area; and
  - c. Such sign has a:
    - (1) Cabinet that is stylized in shape, rather than rectangular, to reflect the shape of the image printed on the sign face; or
    - (2) Molded sign face, with embossed copy or sign copy or sign copy in relief; or
    - (3) Nationally registered trademark with colored sign copy on a colored background.

13. Signs with exposed raceways, except where it is determined by the Zoning Administrator that it is not structurally feasible to install a sign in an otherwise permitted location without using an exposed raceway.
14. Pole Signs.

**S. *Non-Conforming Signs.***

1. Non-conforming signs may receive reasonable repairs or alterations to the face, letters, and frame.
2. If a non-conforming sign is structurally changed or is damaged by fire, lack of maintenance, or other causes by more than 50 percent of its reproduction value, or is temporarily or permanently removed by any means, including "an act of God," then such sign shall be rebuilt, repaired, or replaced only in conformance with the provisions of this article.
3. If a non-conforming sign which no longer advertises a current use remains, with or without copy, for a period of 90 days, it shall be presumed abandoned, and shall be removed after notice to the property owner, unless the property owner establishes facts sufficient to rebut the presumption of abandonment.
4. If a property or development is expanded or modified to add new signage, all non-conforming signs shall be removed or rebuilt to comply with the provisions of this article.
5. Sign faces may be replaced on non-conforming signs.
6. Any change to a property that adds to or changes existing signage shall be prohibited until all non-conforming signs are removed or rebuilt in conformance with of this article. Nothing herein shall prevent the replacement of sign faces on a non-conforming sign. Nothing herein shall require that existing signage which does not conform to the restrictions on cabinet signs or raceways be brought into conformance where it is demonstrated to the Zoning Administrator that the type of signage permitted by this article is not structurally feasible.
7. The purchase and placement of A-Frame Signs is not a substantial capital investment in the business being advertised. Upon repeal or modification of the regulations pertaining to A-Frame Signs that results in further restricting or prohibiting A-Frame Signs, such signs shall not be legal non-conforming signs and A-Frame Signs shall comply with all current regulations.

- T. ***Abandoned Signs.*** Sign copy on abandoned signs shall be removed within 30 days of abandonment.
- U. ***Special Sign Districts.*** Special sign districts established by a specific plan or by ordinance may have unique regulations applicable to such districts, which differ from those set forth in this article. Such specific regulations shall apply to all signs in the district. If the special district does not have specific regulations, the regulations of this article shall apply.
- V. ***No Discrimination against Non-Commercial Signs.*** Any permitted sign may contain a non-commercial message.

#### **4.403 Sign Criteria**

- A. ***Design of Permanent Signs.*** All permanent signs shall be compatible with the design of buildings and sites, reflecting the architectural style, building materials, textures, colors, and landscape elements of the project.
- B. ***Permanent Sign Construction.*** Permanent signs shall be constructed of durable materials. In no case shall any permanent sign be secured with wires or strips of wood which are visible and not an integral part of the sign. Nonstructural trim may be of wood, metal, approved plastic or any combination thereof.
- C. ***Placement of Signs.***
  - 1. Permanent signs shall not project into or over the public right-of-way without first obtaining a license from the Town.
  - 2. Signs or support structures shall not be located in such a manner that obstructs any door, fire escape, stairway, or any opening, exit, walkway, utility access or Fire Department connection.
  - 3. The lowest portion of any sign which extends over an area intended for pedestrian use shall not be less than 8 feet above finished grade. The lowest portion of any sign which extends over an area intended for vehicular use shall not be less than 14 feet above the finished grade.
  - 4. Unless otherwise specifically authorized by the article, no sign shall be placed on any property without written consent of the owner or owner's authorized agent.
  - 5. Notwithstanding other provisions of this article, no sign shall create a hazard to the safe movement of traffic by obstructing the vision of motorists, as determined by the Traffic Engineer.

- D. ***Maintenance of Signs.*** Any sign or component of a sign which is in a damaged or deteriorated condition and constitutes a danger or hazard to public safety, or a visual blight shall be promptly repaired or replaced. Surface materials and components shall be kept free of chipping, peeling, fading, cracks, holes, buckles, warps, splinters, or rusting visible from an adjacent property or street. Illuminated signs shall be maintained in good operating condition including prompt removal and replacement of all defective bulbs, light emitting diodes, fluorescent tubes, neon or other inert gas light segments, damaged or deteriorated electrical wiring, and malfunctioning control devices and related circuitry.
- E. ***Lighting.*** Illumination of signs shall meet all regulations as set forth in the Gilbert Municipal Code, Chapter 42, Article II, Section 42-34.
1. Except for Changeable Message Signs allowed by this article, any flashing, blinking, reflective, animated, or rotating lights, or signs with an intermittent or varying intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or the illumination source, shall be prohibited for either permanent or temporary signs.
  2. Exposed incandescent, fluorescent, metal halide, high- or low- sodium bulbs, or mercury vapor light sources shall not be used as a source of illumination. All light sources shall be shielded to prevent illumination trespass onto properties other than where the light source is located. In the Heritage Village Center zoning district, internally illuminated cabinet signs shall be prohibited, with the exception of projecting signs for commercial uses approved by the Redevelopment Commission and the Design Review Board.
  3. Appropriately sized exposed neon tube type illumination may be considered used in the Heritage Village Center zoning district subject to the approval of the Redevelopment Commission and Design Review Board.
- F. ***Movement.*** Except for flags and pennants permitted pursuant to Section 4.405B.1d.(2), Section 4.406C.1: Initial Display of Banners and Advertising Flags, 4.407 D: Temporary Signs, 4.408D: Temporary Signs, and 4.409D: Temporary Signs, there shall be no movement of the sign or any component thereof.
- G. ***Comprehensive Sign Program.*** A Comprehensive Sign Program shall be required for all projects consisting of multi-tenant buildings, nonresidential complexes with multiple buildings, or large-scale mixed-use developments. A Comprehensive Sign Program provides design compatibility for all signs and integrates sign design with the architecture of the buildings. The Comprehensive Sign Program shall set forth design standards including, but not limited to sign

types, placement, size, design, colors, materials, textures, and method of illumination.

H. **Master Sign Plan.** The Design Review Board may approve a Master Sign Plan for multiple-tenant commercial, office, or employment uses, or for a multiple-building complex for a single commercial or employment use, in a project exceeding 40 net acres; and for auto malls, Hospitals, or enclosed regional retail shopping malls.

1. **Conditions.** The Design Review Board may attach conditions, requirements, or standards necessary to assure that the signs covered by the Master Sign Plan will not be materially detrimental to persons or property in the vicinity, or to the public welfare in general.
2. **Evaluation Criteria.** Master Sign Plans shall be evaluated based on the following criteria:
  - a. **Placement.** All signs shall be placed where they are visible and legible for their intended function. Factors to be considered include the purpose of the sign, its location relative to traffic movement and access points, site features, structures, and orientation relative to viewing distances and viewing angles. In commercial centers in which some tenants have little or no visibility from the street, wall signs may be approved on building walls other than the wall of the space occupied by the tenant.
  - b. **Quantity.** The number of signs that may be approved within any development shall be sufficient to provide project identification and to facilitate internal circulation and way finding. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.
  - c. **Size.** All signs shall be no larger than necessary for visibility and legibility. Factors to be considered in determining appropriate size include topography, volume and speed of traffic, viewing distances and angles, proximity to adjacent uses, amount of sign copy, placement of display, lettering style and the environment in which the signs are placed. In no event shall a Master Sign Plan contain a Freestanding or Wall Sign that exceeds by more than 50 percent any maximum height standard or by 25 percent any maximum area standard permitted by this article. There shall be no limit on the amount by which a Master Sign Plan may allow a directional, freestanding or Wall Sign to exceed the height or area restrictions permitted on the site, when such signs are placed or oriented to be visible only internally to the development.

- d. **Design Features and Materials.** Sign design themes and materials shall be compatible with the architecture, colors, and materials of the project.
- e. **Development Standards.** Except as provided for in Section 4.403H: Master Sign Plan, the Design Review Board may not reduce any sign development standard to less than 50 percent of any minimum standard, nor increase any sign development standard by more than 100 percent of the maximum standard.
- f. **Amendments.** The Director of Planning may administratively approve minor amendments to a Master Sign Plan, where such changes are determined to have little or no visual impact and are consistent with the intent of the original approval.

#### **4.404 Real Estate Signs**

Real Estate Signs advertising real property for sale, rent, or lease are permitted in any zoning district, subject to the following regulations:

- A. **General Standards.** Real Estate Signs are permitted only on the property which is offered for sale or lease. One Real Estate Sign is permitted per street frontage. Real Estate Signs shall not exceed 6 square feet in area and 6 feet in height. Real Estate Signs shall not be located on public property, including rights-of-way.
- B. **Removal.** Real Estate Signs shall be removed from the site no later than 5 days after sale or lease of the property.
- C. **Permit Term.** Sign Permits for Real Estate Signs are valid for 1 year from the date of the issuance or the sale, rental, or lease of the property, whichever occurs first.
- D. **Off-Site Real Estate Signs.** Off-site Real Estate Signs are prohibited, except Residential Open House Signs and signs approved as a part of a Residential Builder Sign Package.
- E. **Residential Open House Signs.** Up to 6 portable off-site Residential Open House Signs, not exceeding 6 square feet in area per sign, are permitted for each open house. Residential Open House Signs shall be displayed only during the hours that a property is open for inspection.
- F. **Nonresidential Subdivision Real Estate Signs.** Active nonresidential subdivisions are allowed 1 on-site real estate sign per exterior street frontage. Each sign shall not exceed 32 square feet in area and 8 feet in height. The sign shall be set back a minimum distance of 10 feet behind the right-of-way.

G. ***Nonresidential Real Estate Signs on Undeveloped Property.*** Undeveloped sites zoned for commercial, office, employment, or public facility/institutional uses may have real estate, “coming soon”, or “future development” signs as follows:

1. 0 to 5 acres: up to 32 square feet of sign area and 8 feet in height;
2. Greater than 5 acres up to 20 acres: 80 square feet of sign area and 8 feet in height;
3. Greater than 20 acres up to 60 acres: 120 square feet of sign area and 10 feet in height; and
4. Greater than 60 acres: 180 square feet of sign area and 12 feet in height.

All Nonresidential Real Estate signs shall be set back a minimum distance of 10 feet from property lines.

H. ***Construction Signs.*** Construction Signs are permitted on properties in conjunction with a valid building permit. Construction Signs shall not exceed 32 square feet in area and 8 feet in height and shall be set back a minimum distance of 10 feet from the property lines. One additional construction sign is permitted for sites over 5 acres with more than 1 exterior street frontage.

#### **4.405 Residential**

The following regulations shall apply to all single family and multi-family residential zoning districts.

A. ***Permanent Signs.***

1. ***Single Family Dwelling Units.*** Other than the address sign required pursuant to Section 4.402Q: Address Signs, each single family dwelling unit may have only 1 residential name sign identifying the occupant, not to exceed 3 square feet in area.
2. ***Multi-Family Dwelling Units.*** Other than the unit number required pursuant to Section 4.402Q: Address Signs, each multi-family dwelling unit may have only 1 residential name sign identifying the occupant, not to exceed 3 square feet in area.
3. ***Subdivision Entry Signs.*** Major entries to residential subdivisions may have 1 entry sign on each side of the street, subject to the following:
  - a. ***Size.*** Signs shall be no greater than 6 feet in height and 25 square feet in area;

- b. Setback. Signs shall be set back a minimum of 3 feet behind the right-of-way;
- c. Design. Signs shall be incorporated into the design of an entry wall, which shall be architecturally compatible with other subdivision improvements; and
- d. Approval. Subdivision entry signs require approval by the Design Review Board as part of the subdivision open space plan. Entry signs added following the initial development of the subdivision require Administrative Design Review approval.

**B. *Temporary Signs.***

- 1. *Builder's Sign Package.* A Builder's Sign Package is required for each residential development prior to the installation of any temporary signs. The Builder's Sign Package shall comply with the following regulations:
  - a. Applicability. A Builder's Sign Package may be approved only for developments within the Town.
  - b. Term. A sign permit for a Builder's Sign Package is valid for 1 year from the date of issuance. A Builder's Sign Package may be renewed annually.
  - c. Removal. All temporary signs installed pursuant to a Builder's Sign Package shall be removed when the model home complex is permanently closed.
  - d. On-Site Signage. A maximum of 240 square feet of on-site signage is permitted for each builder in a recorded subdivision plat. This sign area includes all on-site signage including Builder/Real Estate Signs, model complex signs, welcome signs, banners, awnings, Residential Builder Attention Flags, and directional signs other than Weekend Directional Signs. Signs 32 square feet or larger shall be set back a minimum of 10 feet behind the right-of-way. Signs less than 32 square feet shall be set back a minimum of 5 feet from the right-of-way.
    - (1) Builder/Real Estate Signs are permitted 32 square feet of sign area for the first acre, plus 4 square feet of sign area for every acre above 1, up to a maximum of 160 square feet. Builder/Real Estate Signs shall be limited to 12 feet in height. The total sign area may be displayed as 1 or more signs.
    - (2) Residential Builder Attention Flags are permitted, not to exceed 12 feet in height. Flags shall be spaced a minimum



of 40 feet apart and shall be set back a minimum of 5 feet behind the right-of-way.

- e. Off-Site Signage. Two off-site Directional Signs are permitted. Signs shall not exceed 32 square feet in area and 8 feet in height, and are subject to the following regulations:

- (1) Signs shall be located on unimproved lots or parcels;
- (2) Signs shall be spaced a minimum of 50 feet apart, regardless of the sign ownership;
- (3) Signs shall be set back a minimum of 10 feet behind the right-of-way; and
- (4) Written permission of the property owner is required for the time period of the permit.

- 2. *Weekend Directional Signs.* Weekend Directional Signs shall comply with the following regulations:

- a. Applicability. Weekend Directional Signs shall only be approved for new construction in a residential subdivision within the Town.
- b. Term. A sign permit for Weekend Directional Signs is valid for 1 year from the date of issuance or until the model home complex is permanently closed, whichever occurs first. The sign permit may be renewed annually.
- c. Quantity. A total of 15 Weekend Directional Signs may be permitted for each recorded subdivision plat.
- d. Size. Signs shall be no greater than 4 feet in height and 3 square feet in area.
- e. Location. Weekend Directional Signs shall be located within a 2 mile radius of the subdivision perimeter.
- f. Installation and Removal. Weekend Directional Signs shall be installed no earlier than 6:00 p.m. on Friday of each week and shall be removed no later than 8:00 a.m. on the following Monday. Signs shall be installed no earlier than 6:00 p.m. preceding any official U.S. holiday and shall be removed by 8:00 a.m. the day following the holiday, or Monday if the holiday occurs on Friday.
- g. Spacing. Individual signs shall be located a minimum of 40 feet from any other Weekend Directional Sign, regardless of the builder. No more than 5 Weekend Directional Signs shall be located within

any 500 foot length on the same side of a street, regardless of the builder.

- h. **Material.** Signs shall be constructed of heavy duty, weather-resistant material, such as laminated paper, plastic foam core, or similar material. Placement stakes shall be wood or heavy gauge wire.
- i. **Label.** The back of each individual sign shall contain in clear, legible form the current sign permit number, the builder's name, and the sign company's name and phone number in letters at least 1 inch in height.
- j. **Prohibited Locations.** Weekend Directional Signs shall not be placed:
  - (1) In the center median of any street; or
  - (2) Within 10 feet of the pavement edge of any street where no curb exists; or
  - (3) Within 2 feet of the face of curb where a curb exists; or
  - (4) On or closer than 3 feet from any vehicle, fire hydrant, light or traffic signal pole, traffic sign, bench, bus stop, tree, utility box, or any similar feature.
  - (5) On any property without written permission of the owner or person in control of the property.

#### **4.406 Nonresidential Uses in Residential Zoning Districts**

- A. ***Applicability.*** These regulations shall apply to nonresidential uses permitted in residential zoning districts by the Zoning Code. Nothing herein shall be construed or applied in such a manner as to regulate signs for religious uses more restrictively than signs for non-religious uses in the same zoning district.
- B. ***Permanent Signs.***
  - 1. ***Approval.*** All permanent signs shall be approved by the Design Review Board prior to application for a sign permit. Sign approval may be by:
    - a. A Comprehensive Sign Program; or
    - b. Design Review Board approval of a single use on a lot or parcel, including signs; or

- c. Design Review Board approval of signs for a single use on a lot or parcel, where prior approval for the project without signs has occurred.

2. *Wall Signs.*

- a. Applicability. Wall Signs are permitted on any exterior wall of the tenant or user suite.
- b. Total Business Sign Area. Each business shall be permitted a minimum Wall Sign area of 32 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
  - (1) The sign area calculated pursuant to Section 4.406B.2c: Sign Area Allowances per Building Elevation for the longest building elevation of the tenant/user suite facing the street; or
  - (2) The sign area calculated pursuant to Section 4.406B.2c: Sign Area Allowances per Building Elevation for the length of the building elevation of the tenant/user suite in which the principal entrance to the business is located.
- c. Sign Area Allowances per Building Elevation. Wall Signs are permitted at a rate of 1 square foot of sign area for each 1 foot of the building elevation adjacent to the suite. For buildings set back more than 75 feet from the right-of-way, 1.5 square feet of sign area is permitted for each 1 foot of building elevation adjacent to the suite.
- d. Multi-Story Buildings. Wall Signs shall only be located on one floor of a multi-story building.
- e. Design. Wall Signs shall fit proportionally with building massing and architectural features of the elevation.
- f. Dimensions. The length of a Wall Sign shall not exceed 80 percent of the horizontal length of the exterior building elevation of a tenant suite. The height of a Wall Sign shall not exceed 80 percent of the vertical dimension of the sign band or wall space on which the sign is placed.
- g. Placement and Scale. Wall Signs shall be placed in an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Design Review Board may approve a sign that is closer to the top of the parapet wall if it finds that the sign placement does not visually crowd the top of the wall.

- h. **Wall Signs Facing Residential Uses.** Wall Signs on building elevations abutting property designated for residential use in the General Plan shall:
    - (1) Not be illuminated;
    - (2) Not exceed 16 square feet in area; and
    - (3) Be installed no higher than 14 feet above grade.
- 3. ***Freestanding Monument Signs.***
  - a. **Number.** One on-site Freestanding Monument Sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. One additional Freestanding Monument Sign is permitted for each additional 300 feet of street frontage over 100 feet.
  - b. **Size.** Signs shall be no greater than 32 square feet in area and 8 feet in height.
  - c. **Setback.** Signs shall be set back a minimum of 3 feet from the right-of-way.
  - d. **Changeable Message Signs.** One-half (1/2) a monument sign area may be a Changeable Message Sign, subject to Design Review Board approval.
- 4. ***Directional Signs.***
  - a. **Size.** Signs shall be no greater than 3 square feet in area and 3 feet in height.
  - b. **Setback.** Signs shall be set back a minimum of 25 feet from the right-of-way.
- C. ***Temporary Signs.*** Temporary signs shall comply with the following regulations:
  - 1. ***Initial Display of Banners and Advertising Flags.*** Banners and advertising flags are permitted once during the first year of operation of a use, for a period not to exceed 90 consecutive calendar days and commencing not earlier than 30 days prior to the first day of operation of the use. Such banners and flags shall be located on the exterior building wall of the tenant space to which they are appurtenant and shall not exceed a total area of:
    - a. 32 square feet for occupancies up to 5,000 square feet;

- b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;
  - c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or
  - d. 160 square feet for occupancies greater than 50,000 square feet.
- 2. *Periodic Display of Banners and Advertising Flags.* Banners and advertising flags are permitted for a period not to exceed 30 consecutive days per calendar quarter. Such banners and flags shall be located on the exterior building wall of the suite to which they are appurtenant, and shall not exceed a total area of:
  - a. 32 square feet for occupancies up to 5,000 square feet;
  - b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;
  - c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or
  - d. 160 square feet for occupancies greater than 50,000 square feet.
- 3. *Homeowners Association Facilities Temporary Signs.* Temporary signs for *Homeowners Association Facilities* shall comply with the following regulations:
  - a. *Applicability.* Banners and directional signs for *Homeowners Association Facilities* are permitted that display information concerning seasonal or temporary events occurring in the development.
  - b. *Sign Area and Location.* A maximum of 80 square feet of sign area is permitted within the limits of the residential community.
  - c. *Installation and Removal.* Signs shall be installed no earlier than 30 days prior to the date of an event and shall be removed within 48 hours of completion of the event.
  - d. *Materials.* Signs shall be constructed of lightweight, weather-resistant material.
  - e. *Placement.* The regulations of Section 4.402: General Sign Regulations and Section 4.403.C: Placement of Signs shall apply.

#### **4.407 Commercial**

- A. ***Applicability.*** The following regulations shall apply to the following zoning districts: NC, CC, SC, GC, and RC.
- B. ***Approval.***
1. ***Multi-Tenant Building or Complex.*** A commercial complex with multiple tenants and/or buildings shall receive Design Review Board approval of a Comprehensive Sign Program or Master Sign Plan prior to the issuance of a sign permit.
  2. ***Single-Building Projects.*** Prior to the issuance of a sign permit, signage for single commercial buildings shall be approved:
    - a. By the Design Review Board as part of a Design Review application; or
    - b. By the Director of Planning as a separate Administrative Design Review application.
- C. ***Permanent Signs.*** Signs shall comply with the approved Comprehensive Sign Program, Master Sign Plan, Final Design Review, or Administrative Design Review subject to the following regulations:
1. ***Wall Signs.***
    - a. ***Applicability.*** Wall Signs are permitted on any exterior wall of the tenant or user suite.
    - b. ***Total Business Sign Area.*** Each business shall be permitted a minimum Wall Sign area of 32 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
      - (1) The sign area calculated pursuant to Section 4.407C.1c: Sign Area Allowances per Building Elevation for the longest building elevation of the tenant/user suite facing the street; or
      - (2) The sign area calculated pursuant to Section 4.407C.1c: Sign Area Allowances per Building Elevation for the length of the building elevation of the tenant/user suite in which the principal entrance to the business is located.
    - c. ***Sign Area Allowances per Building Elevation.*** Wall Signs are permitted at a rate of 1 square foot of sign area for each 1 foot of the building elevation adjacent to the suite. For buildings set back more than 75 feet from the right-of-way, 1.5 square feet of sign

area is permitted for each 1 foot of building elevation adjacent to the suite.

- d. Multi-Story Buildings. Wall Signs shall only be located on one floor of a multi-story building.
- e. Design. Wall Signs shall fit proportionally with building massing and architectural features of the elevation.
- f. Dimensions. The length of a Wall Sign shall not exceed 80 percent of the horizontal length of the exterior building elevation of a tenant suite. The height of a Wall Sign shall not exceed 80 percent of the vertical dimension of the sign band or wall space on which the sign is placed.
- g. Placement and Scale. Wall Signs shall be placed on an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Design Review Board may approve a sign that is closer to the top of the parapet wall if it finds that the sign placement does not visually crowd the top of the wall.
- h. Wall Signs Facing Residential Uses. Wall Signs on building elevations abutting property designated for residential use in the General Plan shall:
  - (1) Not be illuminated;
  - (2) Not exceed 16 square feet in area; and
  - (3) Be installed no higher than 14 feet above grade.

2. *Freestanding Signs.*

- a. Monument Signs
  - (1) Number. One on-site Freestanding Monument Sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. Parcels with 600 feet of street frontage are permitted 2 Freestanding Monument Signs. One additional Freestanding Monument Sign is permitted for each additional 300 feet of street frontage.
  - (2) Height. Signs shall be no greater than 8 feet in height.
  - (3) Area. For buildings whose minimum setback is less than 75 feet from the right-of-way, the monument sign area shall not exceed 32 square feet. For buildings whose minimum

setback is at least 75 feet from the right-of-way, the monument sign area shall not exceed 60 square feet.

- (4) Setback. Signs shall be set back a minimum of 3 feet from the right-of-way.
  - (5) Spacing. Signs shall maintain a minimum spacing of 100 feet from any other low-profile freestanding sign on the same street frontage.
  - (6) Changeable Message Signs. One-half (1/2) of a monument sign may be a Changeable Message Sign, subject to Design Review Board approval.
- b. Tower Signs. Tower Signs are permitted in the Regional Commercial and General Commercial zoning districts for retail centers exceeding 40 net acres, as follows:
- (1) Number. One on-site Tower Sign is permitted for each 500 feet of street frontage, provided the total number of all freestanding signs, including Monument Signs, shall not exceed 1 sign per 300 feet of street frontage.
  - (2) Height. Tower Signs shall not exceed a maximum height of 15 feet.
  - (3) Area. The maximum area permitted for a Tower Sign shall be 80 square feet. The area of a tower sign may be increased by an additional 20 square feet for the identification of tenants or occupants of suites 5,000 square feet or less in area.
  - (4) Setback. Tower Signs shall be set back a minimum of 3 feet from the right-of-way.
  - (5) Spacing. Tower Signs shall maintain a minimum spacing of 300 feet from any other freestanding sign on the same street frontage, except that the Design Review Board may approve a spacing less than 300 feet, but not less than 100 feet, in connection with approval of a Comprehensive Sign Program or Master Sign Plan, upon a finding that the spacing will not result in an appearance of sign clutter.
  - (6) Changeable Message Signs. One-half (1/2) of a tower sign may be a Changeable Message Sign.



c. Freeway Signs. Properties exceeding 15 net acres and abutting a freeway identified in the circulation element of the General Plan may have freeway signs as follows:

- (1) Number. One on-site freeway sign shall be permitted for each 400 feet of freeway frontage.
- (2) Height. Freeway Signs shall not exceed a maximum height of 60 feet above grade or 30 feet above the grade of the nearest lanes of the adjacent freeway main travel surface, whichever is greater.
- (3) Area. The maximum area for a freeway sign shall not exceed 500 square feet. An additional 20 percent of sign area is permitted to identify the name of the center.
- (4) Setback. Freeway signs shall be set back a minimum of 150 feet from:
  - i. Right-of-way other than a freeway; and
  - ii. A property line adjacent to property designated for retail or residential use in the General Plan.

Freeway Signs shall be set back a distance equal to the height of the sign from a property line adjacent to property designated for uses other than retail or residential in the General Plan.

- (5) Location, Orientation and Spacing. Freeway Signs shall be located within 100 feet of the freeway right-of-way and shall be oriented to the freeway. A sign shall be considered oriented to a freeway where the sign face makes an interior angle of more than 30 degrees to the freeway. Freeway Signs shall maintain a minimum spacing of 400 feet from any other Freeway Sign on the same property.
- (6) Changeable Message Signs. Freeway signs may include Changeable Message Signs.

d. Directory Signs.

- (1) Number. One sign shall be permitted for each 5 commercial tenants or uses.
- (2) Size. Signs shall be no greater than 40 square feet in area and 8 feet in height.

- (3) Setback. Signs shall be set back a minimum of 75 feet from any perimeter property line, except where such property line abuts other commercial or employment development and there is a cross-access between the commercial or employment properties.
    - (4) Location. Directory signs shall only be installed on-site in landscape islands or pedestrian areas.
  - e. Directional Signs. Directional Signs are not counted as part of the total sign area for a use and shall comply with the following regulations:
    - (1) Applicability. Directional Signs are permitted to assist in traffic movement on a property. Directional Signs shall include an arrow, and may include copy to read "Enter", "Exit" or "Drive-Through" and a single business logo.
    - (2) Size. Signs shall be no greater than 3 square feet in area and 3 feet in height.
    - (3) Setback. Signs shall be set back a minimum of 25 feet from the right-of-way.
    - (4) Prohibited Locations. Directional Signs shall not be located in a required perimeter landscape area.
- 3. *Signs on Accessory Entry Monuments.* Signs for center or project identification are permitted on accessory entry monuments for multiple-tenant projects exceeding 40 net acres, subject to Design Review Board approval as part of a Comprehensive Sign Program or Master Sign Plan.
  - a. Area. Signs shall not occupy more than 50 percent of the area of the structure.
  - b. Spacing. Signs shall maintain a minimum spacing of 100 feet from any other accessory entry monument sign.
- 4. *Service Station Canopy Signs.* Service Station Canopy Signs shall display only the company logo.
  - a. Number. The maximum number of signs attached to a canopy shall be 2.
  - b. Area. Signs shall not exceed 6 square feet in area.

- c. Projection. No part of the sign shall project from a canopy wall by more than 2 inches.
  - d. Placement and Scale. The sign shall be vertically centered on the face of the canopy and be a minimum of 3 inches from both the top and bottom.
- 5. *Electronic Changeable Message Signs.* Where permitted by this article, the Design Review Board may approve an electronic Changeable Message Sign and may establish operational restrictions. Operational restrictions include, but are not limited to, the frequency of message change. The Design Review Board shall consider the nature and character of the uses surrounding the sign location, and traffic volume and speed in the area where the sign will be visible. Electronic Changeable Message Signs shall not be permitted in the Santan Character Area, except for theaters and gasoline stations, and shall not be permitted in the Heritage Village Center zoning district unless approved by the Redevelopment Commission. The types of electronic Changeable Message Signs and operations subject to regulation are:
  - a. Static. The Design Review Board shall establish the minimum time interval permitted between static message changes as a part of the approval of the sign.
  - b. Fade/Dissolve. The Design Review Board shall establish the minimum time interval permitted between message changes as part of the approval of a sign which fades or dissolves.
  - c. Travel/Scroll. The Design Review Board shall establish the minimum time interval between traveling or scrolling change sequences as part of the approval of a traveling or scrolling sign.
  - d. Animated. The Design Review Board shall establish the minimum time interval between animated sequences as part of the approval of an animated electronic sign.
- 6. *Pedestrian Advertising Signs.*
  - a. Applicability. Pedestrian Advertising Signs are permitted in SC and RC districts when approved as part of a Comprehensive Sign Program or Master Sign Plan.
  - b. Area. Signs shall be no greater than 24 square feet in area per sign face and 6 feet in height.
  - c. Setback. Signs shall be set back a minimum of 75 feet from the right-of-way.

- d. Installation. Signs shall be permanently affixed to the ground.
  - e. Illumination. Signs may be internally illuminated.
  - f. Prohibited Locations. Pedestrian Advertising Signs shall not obstruct sidewalks, required accessible paths of travel, or the visibility of other signs.
7. *Pump-Topper or Spanner Signs.* Pump-Topper and Spanner Signs shall be approved by the Design Review Board. Colors, materials, placement, and dimensions shall complement the design and scale of the canopy structure and the main building.
8. *Drive-Through Restaurant Menu Signs.*
- a. Number. Drive-Through Restaurant Menu Signs shall be limited to 2 per drive-through lane.
  - b. Area. Signs shall be no greater than 50 square feet in area and 7 feet in height.
  - c. Location. Location shall be approved by the Design Review Board as part of a Comprehensive Sign Program or Final Design Review plan.
  - d. Design. Drive-Through Restaurant Menu Signs shall be constructed with a solid base.
- D. ***Temporary Signs.*** Temporary signs are permitted subject to the following regulations:
1. *Initial Display of Banners and Advertising Flags.* Banners and advertising flags are permitted once during the first year of operation of a use for a period not to exceed 90 consecutive calendar days and commencing not earlier than 30 days prior to the first day of operation of the use. Such banners and flags shall be located on the exterior building wall of the tenant space to which they are appurtenant and shall not exceed a total area of:
- a. 32 square feet for occupancies up to 5,000 square feet;
  - b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;
  - c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or
  - d. 160 square feet for occupancies greater than 50,000 square feet.

2. *Periodic Display of Banners and Advertising Flags.* Banners and advertising flags are permitted for a period not to exceed 30 consecutive days per calendar quarter. Such banners and flags shall be located on the exterior building wall of the suite to which they are appurtenant, and shall not exceed a total area of:
  - a. 32 square feet for occupancies up to 5,000 square feet;
  - b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;
  - c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or
  - d. 160 square feet for occupancies greater than 50,000 square feet.
3. *Window Signs.*
  - a. **Area.** Signs shall not exceed 25 percent of the total window area. Window signs are not part of permitted wall sign area.
  - b. **Location.** Individual businesses may display signs in a first floor window area or within 6 feet behind a window.

#### **4.408 Office/Employment**

- A. ***Applicability.*** The following regulations shall apply to the following districts: NO, GO, BP, LI and GI.
- B. ***Approval.***
  1. ***Multi-Tenant Building or Complex.*** An office/employment complex with multiple tenants and/or building pads shall receive Design Review Board approval of a Comprehensive Sign Program prior to the issuance of a sign permit.
  2. ***Single-Building Projects.*** Prior to the issuance of a sign permit, signage for single office or employment buildings shall be approved:
    - a. By the Design Review Board as part of a Design Review application; or
    - b. By the Director of Planning as a separate Administrative Design Review application.

- C. ***Permanent Signs.*** Signs shall comply with the approved Comprehensive Sign Program, Final Design Review, or Administrative Design Review subject to the following regulations:

1. *Wall Signs.*

- a. **Applicability.** Wall Signs are permitted on any exterior wall of the tenant or user suite.
- b. **Total Business Sign Area.** Each business shall be permitted a minimum Wall Sign area of 32 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
  - (1) The sign area calculated pursuant to Section 4.407C.1c: Sign Area Allowances per Building Elevation for the longest building elevation of the tenant/user suite facing the street; or
  - (2) The sign area calculated pursuant to Section 4.407C.1c: Sign Area Allowances per Building Elevation for the length of the building elevation of the tenant/user suite in which the principal entrance to the business is located.
- c. **Sign Area Allowances per Building Elevation.** Wall Signs are permitted on any exterior wall of the tenant or user suite at a rate of 1 square foot of sign area for each 1 foot of the building elevation adjacent to the suite.
- d. **Multi-Story Buildings.** Wall Signs shall only be located on one floor of a multi-story building.
- e. **Design.** Wall Signs shall fit proportionally with building massing and architectural features of the elevation.
- f. **Dimensions.** The length of a Wall Sign shall not exceed 80 percent of the horizontal length of the exterior building elevation of a tenant suite. The height of a Wall Sign shall not exceed 80 percent of the vertical dimension of the sign band or wall space on which the sign is placed.
- g. **Placement and Scale.** Wall signs shall be placed on an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Design Review Board may approve a sign that is closer to the top of the parapet wall if it finds that the sign placement does not visually crowd the top of the wall.

h. Wall Signs Facing Residential Uses. Wall Signs on building elevations abutting property designated for residential use in the General Plan shall:

- (1) Not be illuminated;
- (2) Not exceed 16 square feet in area; and
- (3) Be installed no higher than 14 feet above grade.

2. *Freestanding Signs.*

a. Monument Signs.

- (1) Number. One on-site Freestanding Monument Sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. Parcels with 600 feet of street frontage are permitted 2 Freestanding Monument Signs. One additional Freestanding Monument Sign is permitted for each additional 300 feet of street frontage.
- (2) Height. Signs shall be no greater than 8 feet in height.
- (3) Area. Signs shall be no greater than 40 square feet in area.
- (4) Setback. Monument signs shall be set back a minimum of 3 feet from the right-of-way.
- (5) Spacing. Monument signs shall maintain a minimum spacing of 100 feet from any other low-profile freestanding sign on the same street frontage.

b. Directory Signs.

- (1) Number. One sign shall be permitted for each 5 tenants or uses.
- (2) Size. Signs shall be no greater than 40 square feet in area and 8 feet in height.
- (3) Setback. Signs shall be set back a minimum of 75 feet from any perimeter property line, except where such property line abuts other commercial or employment development and there is a cross-access between the commercial or employment properties.

- (4) Location. Directory signs shall only be installed on-site in landscape islands or pedestrian areas.
  - c. Directional Signs. Directional Signs are not counted as part of the total sign area for a use and shall comply with the following regulations:
    - (1) Applicability. Directional Signs are permitted to assist in traffic movement on a property. Directional Signs shall include an arrow and may include copy to read "Enter", "Exit" or "Drive-Through" and a single business logo.
    - (2) Size. Signs shall be no greater than 3 square feet in area and 3 feet in height.
    - (3) Setback. Signs shall be set back a minimum of 25 feet from the right-of-way.
    - (4) Prohibited Locations. Directional Signs shall not be located in a required perimeter landscape area.
- 3. *Signs on Accessory Entry Monuments.* Signs for center or project identification are permitted on accessory entry monuments for multiple-tenant projects exceeding 40 net acres, subject to Design Review Board approval as part of a Comprehensive Sign Program or Master Sign Plan.
  - a. Area. Signs shall not occupy more than 50 percent of the area of the structure.
  - b. Spacing. Signs shall maintain a minimum spacing of 100 feet from any other accessory entry monument sign.
- D. ***Temporary Signs.*** Temporary signs are permitted subject to the following regulations:
  - 1. *Initial Display of Banners and Advertising Flags.* Banners and advertising flags are permitted, subject to the issuance of a sign permit, once during the first year of operation of a use, for a period not to exceed 90 consecutive calendar days and commencing not earlier than 30 days prior to the first day of operation of the use. Such banners and flags shall be located on the exterior building wall of the tenant space to which they are appurtenant and shall not exceed a total area of:
    - a. 32 square feet for occupancies up to 5,000 square feet;
    - b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;



- c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or
  - d. 160 square feet for occupancies greater than 50,000 square feet.
- 2. *Periodic Display of Banners and Advertising Flags.* Banners and advertising flags are permitted for a period not to exceed 30 consecutive days per calendar quarter. Such banners and flags shall be located on the exterior building wall of the suite to which they are appurtenant, and shall not exceed a total area of:
  - a. 32 square feet for occupancies up to 5,000 square feet;
  - b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;
  - c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or
  - d. 160 square feet for occupancies greater than 50,000 square feet.

#### **4.409 Public Facility/Institutional**

- A. ***Applicability.*** These regulations shall apply to uses located in the PF/I zoning district. Nothing herein shall be construed or applied in such a manner as to regulate signs for religious uses more restrictively than signs for non-religious uses in the same zoning district.
- B. ***Approval.*** All permanent signs shall be approved by the Design Review Board prior to application for a sign permit. Sign approval may be by:
  - 1. A Comprehensive Sign Program; or
  - 2. Design Review Board approval of a single use on a lot or parcel, including signs; or
  - 3. Design Review Board approval of signs for a single use on a lot or parcel, where prior approval for the project without signs has occurred.
- C. ***Permanent Signs.***
  - 1. *Wall Signs.*
    - a. ***Applicability.*** Wall Signs are permitted on any exterior wall of the tenant or user suite.

- b. Total Business Sign Area. Each business shall be permitted a minimum Wall Sign area of 32 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
  - (1) The sign area calculated pursuant to Section 4.409C.1c: Sign Area Allowances per Building Elevation for the longest building elevation of the tenant/user suite facing the street; or
  - (2) The sign area calculated pursuant to Section 4.409C.1c: Sign Area Allowances per Building Elevation for the length of the building elevation of the tenant/user suite in which the principal entrance to the business is located.
- c. Sign Area Allowances per Building Elevation. Wall Signs are permitted at a rate of 1 square foot of sign area for each 1 foot of the building elevation adjacent to the suite. For buildings set back more than 75 feet from the right-of-way, 1.5 square feet of sign area is permitted for each 1 foot of building elevation adjacent to the suite.
- d. Multi-Story Buildings. Wall Signs shall only be located on one floor of a multi-story building.
- e. Design. Wall Signs shall fit proportionally with building massing and architectural features of the elevation.
- f. Dimensions. The length of a Wall Sign shall not exceed 80 percent of the horizontal length of the exterior building elevation of a tenant suite. The height of a Wall Sign shall not exceed 80 percent of the vertical dimension of the sign band or wall space on which the sign is placed.
- g. Placement and Scale. Wall Signs shall be placed on an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Design Review Board may approve a sign that is closer to the top of the parapet wall if it finds that the sign placement does not visually crowd the top of the wall.
- h. Wall Signs Facing Residential Districts. Wall Signs on building elevations abutting property designated for residential use in the General Plan shall:
  - (1) Not be illuminated;
  - (2) Not exceed 16 square feet in area; and

- (3) Be installed no higher than 14 feet above grade.

2. *Freestanding Signs.*

a. Monument Signs.

- (1) Number. One on-site freestanding monument sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. Parcels with 600 feet of street frontage are permitted 2 freestanding monument signs. One additional freestanding monument sign is permitted for each additional 300 feet of street frontage.
- (2) Size. Signs shall not exceed 32 square feet in area and 8 feet in height.
- (3) Setback. Signs shall be set back a minimum of 3 feet from the right-of-way.
- (4) Spacing. Monument signs shall maintain a minimum spacing of 100 feet from any other low-profile freestanding sign on the same street frontage.
- (5) Changeable Message Panels. One-half (1/2) a monument sign may be a changeable message sign, subject to Design Review Board approval.

b. Directory Signs.

- (1) Number. One sign shall be permitted for each 5 tenants or uses.
- (2) Size. Signs shall be no greater than 40 square feet in area and 8 feet in height.
- (3) Setback. Signs shall be set back a minimum of 75 feet from any perimeter property line, except where such property line abuts other public facility/institutional development and there is a cross-access between the commercial or employment properties.
- (4) Location. Directory signs shall only be installed on-site in landscape islands or pedestrian areas.

c. Directional Signs. Directional Signs are not counted as part of the total sign area for a use and shall comply with the following regulations:

- (1) **Applicability.** Directional Signs are permitted to assist in traffic movement on a property. Directional Signs shall include an arrow, and may include copy to read "Enter", "Exit" or "Drive-Through" and a single business logo.
- (2) **Size.** Signs shall be no greater than 3 square feet in area and 3 feet in height.
- (3) **Setback.** Signs shall be set back a minimum of 25 feet from the right-of-way.
- (4) **Prohibited Locations.** Directional Signs shall not be located in a required perimeter landscape area.

**D. *Temporary Signs.*** Temporary signs are permitted, subject to the following regulations and issuance of a sign permit:

1. ***Initial Display of Banners and Advertising Flags.*** Banners and advertising flags are permitted once during the first year of operation of a use, for a period not to exceed 90 consecutive calendar days and commencing not earlier than 30 days prior to the first day of operation of the use. Such banners and flags shall be located on the exterior building wall of the suite to which they are appurtenant and shall not exceed a total sign area of:
  - a. 32 square feet for occupancies up to 5,000 square feet;
  - b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;
  - c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or
  - d. 160 square feet for occupancies greater than 50,000 square feet.
2. ***Periodic Display of Banners and Advertising Flags.*** Banners and advertising flags are permitted for a period not to exceed 30 consecutive days per calendar quarter. Such banners and flags shall be located on the exterior building wall of the suite to which they are appurtenant, and shall not exceed a total sign area of:
  - a. 32 square feet for occupancies up to 5,000 square feet;
  - b. 80 square feet for occupancies greater than 5,000 square feet up to 15,000 square feet;
  - c. 120 square feet for occupancies greater than 15,000 square feet up to 50,000 square feet; or

- d. 160 square feet for occupancies greater than 50,000 square feet.

#### **4.4010 Notice of Violation**

Notice of violation of this article shall be provided by a Code Compliance Officer to the property owner, person in control, or authorized agent of the property. The time periods provided for correction of the violation shall be:

- A. ***Permanent Signs.*** A 10 calendar day written notice shall be provided.
- B. ***Temporary Signs.*** A 2 calendar day written notice shall be provided.
- C. ***Portable Signs, Other than A-Frame Signs.***
  - 1. A 2 calendar day written notice shall be provided for portable signs other than those placed within the right-of-way.
  - 2. A written notice is not required for portable signs placed within the right-of-way.
- D. ***A-Frame Signs.*** A written notice shall be provided, requiring immediate correction of the violation. A second violation shall result in confiscation of the sign and written notice of removal.

#### **4.4011 Removal**

- A. ***Authority.***
  - 1. The Code Compliance Manager is authorized to require removal of any sign installed in violation of this article. The Code Compliance Manager may remove or cause to be removed any temporary sign which is not removed by the owner.
  - 2. The Building Official is authorized to remove or require the immediate removal or repair without written notice of any unsafe sign that creates an immediate hazard to persons or property.
- B. ***Removal by Town.*** In the case of a sign code violation where the offending sign has been removed by the Code Compliance Officer, the notice shall state the reason for its removal.
- C. ***Recovery of Costs.*** The costs of removal or repair of a sign by the Town shall be borne by the person who installed the sign, and, if unknown, the owner or lessee of the sign and of the property on which the sign is located. If the Town incurs costs in the removal or repair of a sign, the Town may bring an action in Municipal Court or Superior Court to recover its costs.

#### **4.4012 Violations, A-Frame Signs**

**A. *First Offense.***

1. The Code Compliance Manager shall give a written notice of the violation to the owner or lessee of the business to which the sign relates, or, if such violation relates to the spacing requirements set forth in Section 4.402N.5h, a written notice shall be given to all owners or lessees of businesses to which the signs relate.
2. Upon receipt of the notice, the owner or lessee of the business or businesses to which the sign(s) relate shall bring the sign(s) into conformance with this Article.

**B. *Second Offense.***

1. The second time in any 24 month period that an A-Frame Sign at a business is found by the Code Compliance Manager to be in violation of this article, such sign shall be subject to confiscation. For purposes of calculating the 24 month period, the date of the commission of the first offense shall be used.
2. If the violation relates to the spacing requirements set forth in Section 4.402N.5h, all signs in violation shall be subject to confiscation regardless of which sign was placed first.
3. The Code Compliance Manager shall give notice to the owner or lessee of the business being advertised by the A-Frame Sign that the sign has been confiscated and if not claimed within 5 calendar days from the date of the notice, the sign shall be disposed of.
4. A confiscated sign shall be released to the owner or lessee of the business upon payment of a storage fee within 5 calendar days from the date of the notice.

**C. *Third Offense.***

1. The third time in any 24 month period that an A-Frame Sign at a business is found by the Code Compliance Manager to be in violation of this article, such sign shall be confiscated. For purposes of calculating the 24 month period, the date of the commission of the first offense shall be used.
2. After a third violation in any 24 month period, A-Frame Signs relating to the business shall not be permitted.

**D. *Fourth Offense.***

1. The fourth time in any 24 month period that an A-Frame Sign at a business is found by the Code Compliance Manager to be in violation of this article, the owner or lessee of the business shall be guilty of a Class 1 Misdemeanor. For purposes of calculating the 24 month period, the date of the commission of the first offense shall be used. The Gilbert Town Prosecutor shall file a criminal misdemeanor complaint in the Gilbert Municipal Court.
  2. Upon conviction of a violation of this Article, the court may impose a sentence pursuant to ARS § 13-707, 13-802, and 13-902. The court shall order a person who has been convicted of a violation of the section to pay a fine of not less than \$500.00 for each count upon which a conviction has been obtained. A judge shall not grant probation to or suspend any part or all of the imposition or execution of any sentence required by this paragraph except on the condition that the person pay the mandatory minimum fine as provided in this paragraph.
- E. Notwithstanding the provisions of Article 4.6: Non-Conforming Uses, Lots, Parcels, Structures and Signs, the Town Council finds that the purchase and placement of A-Frame Signs is not a substantial capital investment in the business being advertised by the A-Frame Sign. Upon repeal of Section 4.402N: A-Frame Signs or upon modification of the regulations set forth in Section 4.402N: A-Frame Signs that results in restricting or prohibiting A-Frame Signs, A-Frame Signs shall not become legal non-conforming uses or structures and such signs shall comply with any such repeal or modification.